

3774

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Ehud SCHWAMMENTHAL Serial No.: 10/563,384 Group No. Filed: April 20, 2006 Examiner: For: IMPLANTABLE PROSTHETIC DEVICED DELIVERY IN THE TREATMENT OF AORTICS SUCH DEVICES	: 3774 T. Sweet ES PARTICULARLY FOR TRANSARTERIAL
[] *Patent No.: Issue Date: Reexamination Date:	
*NOTE: Preferably also insert inventor's name and invention t	itle.
Commissioner for Patents P. O. Box 1450 Alexandria, VA 22313-1450	
TERMINAL DISCLA A DOUBLE PATENTING REJECT	
Identification of Person(s) I,CLIFFORD J. MASS	Making This Disclaimer
(type or print names of all inventors or assig	ns or name of attorney signing disclaimer)
(a) represent that I am	
[] an inventor (applicant) of t	his invention.
	TOOLON OF CLED SECTION 1.4(A)
CERTIFICATE OF MAILING/TRANS	
I hereby certify that, on the date shown below, this corresponde	nce is being:
MAILING	FACSIMILE
deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450.	transmitted by facsimile to the Patent and Trademark Office to (571)-273-8300
Date: February 4, 2008	CLIFFORD J. MASS (type or print name of person certifying)
•	<u>-</u>

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WARNING:		universit	"If the patent or patent application is assigned to an organization, such as a corporation, partnership, university, government agency or similar entity, and the disclaimer is signed by the assignee, the assignee must comply with § 3.73(b)." Notice of Oct. 15, 1993, 1156 O.G. 56-61 at 56, § 1490, M.P.E.P., 7th Edition.				
		[]	an assignee of this invention. a representative authorized to sign on behalf of the assignee identified below A statement under 37 C.F.R. Section 3.73(b) is attached.				
WARNI	NG:	See the d	bove "WARNING."				
		[X]	the attorney of record for this invention.				
NOTE:	The rule. 3.73(b).	s "permit a " Notice oj	an attorney or agent of record to sign a terminal disclaimer without the need to comply with Section Cot. 15, 1993, 1156 O.G. 54-61, at 56. See also Section 1490, M.P.E.P., 7th Edition.				
		IDEN	TITY OF ASSIGNEE AND TITLE OF DISCLAIMANT (if any)				
The as	signee i	s					
	Name	of assign	nee VENTOR TECHNOLOGIES LTD.				
	Addres	ss of ass	ignee 3 HATA'ASIA STREET, RA'ANANA, ISRAEL 43654				
	If sign	ed by as	signee, title of disclaimant authorized to sign on behalf of assignee				
			EXTENT OF DISCLAIMANT'S INTEREST				
The ex	tent of t	he intere	est in this invention that the disclaimant(s) owns is:				
	[X]	the wh	ole of this invention.				
	[]	a section	onal interest in this invention, as follows:				
NOTE:	Disclain	ner(s) fron	the whole interest must be filed.				
			(state the exact interest of the disclaimant)				
The di	sclaimaı	nt(s) is/a	re:				
	[] [X]		olicant(s) (name of applicants) ignee(s) <u>VENTOR TECHNOLOGIES LTD.</u> (name of assignee)				

RECORDAL OF ASSIGNMENT IN PTO

(if applicable)

[X]	The assignment was recorded on <u>June 9, 2006</u>
	Reel <u>017989</u> Frame <u>0530</u>
[]	Authorization for recordal of the assignment is separately filed:
	[] "ASSIGNMENT (DOCUMENT) COVER SHEET" or [] FORM PTO 1595 is also attached.
	DISCLAIMER
(Provisiona	l Obviousness-Type Double Patenting Rejection Over A Pending Application)
the instant app Application No hereby agrees to such period that	ner hereby disclaims, except as provided below, the terminal part of any patent granted on blication, which would extend beyond the expiration date of any patent granted on b, filed on, as shortened by any terminal disclaimer. Petitioner hat any patent so granted on the instant application shall be enforceable only for and during at it and any patent granted on the above-listed application are commonly owned. This is with any patent granted on the instant application and is binding upon the grantee, its assigns.
granted on the defined in 35 U basis of the do in the event the invalid by a cour 37 C.F.R. Sect.	ting the above disclaimer, disclaimant does not disclaim the terminal part of any patent instant application that would extend to the expiration date of the full statutory term as J.S.C. Sections 154 to 156 and 173 of any patent granted on the application forming the uble patenting rejection, namely, any patent granted on Application No.:

disclaimer, except for the separation of legal title stated above.

DISCLAIMER FEE (37 C.F.R. Section 1.20(d))

[]	Other than a small entityfee \$130.00						
[]] Small entityfee \$65.00						
	[]	Small entit	y statement y statement patent applic	already fil		_ on	(date)
.((Obvious	sness-Type l	Double Pate	enting Rej	jection Ove	er A Pr	ior Patent)
the instant app presently short the instant app	lication, ened by lication monly o	, which wou any terminal shall be enfo wned. This a	ld extend be l disclaimer. rceable only greement ru	yond the e Petitioner for and duns with any	expiration d r hereby agr uring such p	late of laces that beriod the	rt of any patent granted on Patent No. 7,201,772 as t any patent so granted on hat it and the above-listed he instant application and
granted on the defined in 35 U rejection, name that it later: exp of competent ju Section 1.321,	instant a J.S.C. Se ely, Pater ires for f urisdicti has all c	application the ections 154 to the total to the two transfers of the total tot	nat would ex o 156 and 173 772, as pre a maintenandrily disclaim lled by a ree	tend to the 3 of the pat sently short ce fee, is hort ned in who xamination	e expiration tent forming rtened by an eld unenfor ble or termir n certificate	date of the bas y terminates ceable, nally dis e, is reis	erminal part of any patent f the full statutory term as sis of the double patenting hal disclaimer, in the event is found invalid by a court sclaimed under 37 C.F.R. ssued, or is in any manner y any terminal disclaimer,

DISCLAIMER FEE (37 C.F.R. Section 1.20(d))

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AND/OR

(Provisional Obviousness-Type Double Patenting Rejection Over A Pending Application--Reexamination Proceeding)

	her hereby discialms, except as provided below, the terminal part of any patent bei	-
reexamined, wh	nich would extend beyond the expiration date of any patent granted on Application N	
	, filed on, as shortened by any terminal disclaimer. Petition	iei
	nat any reexamination certificate issued on the instant patent being reexamined shall	
	y for and during such period that it and any patent granted on the above-listed applicati	
•	owned. This agreement runs with any reexamination certificate issued on the insta	ın
patent granted	and is binding upon the grantee, its successors, or assigns.	
certificate grant full statutory te application form No.:unenforceable, terminally disc certificate, is re	ing the above disclaimer, disclaimant does not disclaim the terminal part of any reiss sed on the instant patent being reexamined that would extend to the expiration date of the rm as defined in 35 U.S.C. Sections 154 to 156 and 173 of any patent granted on the basis of the double patenting rejection, namely, any patent granted on Applicating, in the event that it later: expires for failure to pay a maintenance fee, is he should invalid by a court of competent jurisdiction, is statutorily disclaimed in whole laimed under 37 C.F.R. Section 1.321, has all claims cancelled by a reexamination of its full statutory terminated by any terminal disclaimer, except for the separation of legal title stated above	he on old on on
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	DISCLAIMER FEE (37 C.F.R. Section 1.20(d))	
[]	Other than a small entityfee \$130.00	
[]	Small entityfee \$65.00	
	[] Small entity statement attached	
	Small entity statement already filed	
	[] in patent application on	
	(date)	
	AND/OR	
(Provisio	onal Obviousness-Type Double Patenting Rejection Over A Prior Patent Reexamination Proceeding)	
	er hereby disclaims, except as provided below, the terminal part of the patent being the would extend beyond the expiration date of Patent No as present	
shortened by an	terminal disclaimer. Petitioner hereby agrees that the patent for which a reexamination	on
	ned as a result of this proceeding shall be enforceable only for and during such period the listed patent granted are commonly owned. This agreement runs with any reexamination	
	d on the instant patent and is binding upon the grantee, its successors, or assigns.	

In making the above disclaimer, disclaimant does not disclaim the terminal part of any reexamination certificate granted on the instant patent that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. Sections 154 to 156 and 173 of the patent forming the basis of the double patenting rejection, namely, Patent No.: ________, as presently shortened by any terminal disclaimer, in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. Section 1.321, has all claims cancelled by a reexamination certificate, is reissued, or is in any manner terminated prior to expiration of its full statutory term as presently shortened by any terminal disclaimer, except for the separation of legal title stated above.

DISCLAIMER FEE (37 C.F.R. Section 1.20(d))

[] Other than a small entity--fee \$130.00

[] Small entity--fee \$65.00

Small entity statement attached Small entity statement already filed

in patent application____

[]

(date)

FEE PAYMENT

	[]	Already paid	
	[]	Attached is a check in the su Charge Account 12-0425 for	
	[x]	Charge Deposit Account 1 A duplicate of this disclaime	
			Signature of disclaimant(s)
		ary 4, 2008	or
Reg.	No.: 300	86	SIGNATURE OF PRACTITIONER
Tel. N	No.: (212	2) 708-1890	(type or print name of practitioner)
Custo	omer No	.: 00140	P.O. Address
			c/o Ladas & Parry LLP 26 West 61 st Street New York, N.Y. 10023